

**EXHIBIT 4**  
**Excerpts from**  
**James Rybacki**  
**Deposition, Vol.**  
**II, 10/2/19**

Officer James Rybacki

Trinita Farmer v. Las Vegas Metropolitan Police Department, et al.

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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

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TRINITA FARMER, individually, )

)

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Plaintiff, )

)

6

vs. ) Case No.:

)

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LAS VEGAS METROPOLITAN POLICE ) 2:18-cv-00860-GMN-VCF

)

DEPARTMENT, a political

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subdivision of the State of )

Nevada; KENNETH LOPERA, )

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individually; TRAVIS CRUMRINE, )

individually; MICHAEL TRAN, )

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individually; MICHAEL FLORES, )

individually, )

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)

Defendants. )

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DEPOSITION OF OFFICER JAMES RYBACKI

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Taken on Wednesday, October 2, 2019

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At 9:01 a.m.

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At Oasis Reporting Services, LLC

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400 South Seventh Street, Suite 400

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Las Vegas, Nevada

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Reported By: Ewa Barnes, CCR No. 889

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Job No. 35498

1 Q. BDU.

2 A. Yes.

3 Q. And what does it stand for?

4 A. Military term, battle dress uniform.

5 Q. And you were wearing a BDU on the night of the  
6 incident; correct?

7 A. Yes.

8 Q. Was Lopera?

9 A. Yes.

10 Q. Do you know why you wear BDUs as opposed to the  
11 tan uniform?

12 A. We're a -- the Flex Team is considered a  
13 proactive unit. We essentially adopted that uniform from  
14 the old gang unit, and that's pretty much -- the  
15 individuals that we try to go after and target, they  
16 recognize that uniform versus the tan uniform.

17 Q. And can an LVNR be applied if they're armed?

18 A. Yes.

19 Q. And as part of the final LVR -- LVNR, is it  
20 important to position a subject's head properly?

21 A. Yes.

22 Q. And when I'm saying LVNR, I mean the lateral  
23 vascular neck restraint; correct?

24 A. Yes.

25 Q. And there are three different levels to the

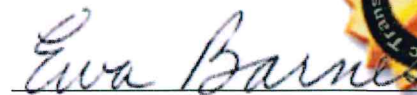
## 1 REPORTER'S DECLARATION

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3 STATE OF NEVADA )  
4 ) ss.5  
6 COUNTY OF CLARK )

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8 I, Ewa Barnes, CCR No. 889, declare as follows:

9 That I reported the taking of the deposition of the  
10 witness, OFFICER JAMES RYBACKI, commencing on Wednesday,  
11 October 2, 2019, at 9:01 a.m.12 That prior to being examined, the witness was by  
13 me duly sworn to testify to the truth, the whole truth and  
14 nothing but the truth.15 That I thereafter transcribed my said shorthand  
16 notes into typewriting and that the typewritten transcript  
17 of said deposition is a complete, true and accurate  
18 transcription of said shorthand notes taken down at said  
19 time.20 I further declare that I am not a relative or  
21 employee of any party involved in said action, nor a person  
22 financially interested in the action.23 Dated at Las Vegas, Nevada, this 14th day of  
24 October, 2019.25  


Ewa Barnes, CCR No. 889

